

VZCZCXRO3135
PP RUEHDE
DE RUEHKU #2020 1511634
ZNY SSSSS ZZH
P 311634Z MAY 06
FM AMEMBASSY KUWAIT
TO RUEHC/SECSTATE WASHDC PRIORITY 4837
INFO RUEHZM/GULF COOPERATION COUNCIL COLLECTIVE
RUEKJCS/SECDEF WASHINGTON DC

S E C R E T KUWAIT 002020

SIPDIS

NOFORN
SIPDIS

STATE FOR NEA/ARP AND S/WCI

E.O. 12958: DECL: 05/29/2016
TAGS: [PTER](#) [PHUM](#) [KAWC](#) [PINR](#) [KU](#) [IO](#)
SUBJECT: MFA OFFICIAL REQUESTS MORE DETAILED INFORMATION ON
DETAINED KUWAITIS AND EVIDENCE FOR TRIALS OF GTMO RETURNEES

REF: A. STATE 86377
[B](#). KUWAIT 1831
[C](#). KUWAIT 1769

Classified By: Ambassador Richard LeBaron for reasons 1.4 (b) and (d)

[1](#)1. (S/NF) On May 29 PolOff delivered to Ministry of Foreign Affairs Director of Coordination and Follow-Up, Ambassador Khaled Al-Maqamis, ref A information on two Kuwaiti detainees currently being held in Iraq: Abdelrahman Mobarak Meshakhas Al-Bathali and Ali Awad Faraj Al-Harbi. Al-Maqamis responded by saying the GOK needed more information. Contradicting information in ref A about Al-Harbi being turned over to Iraqi custody, he said that MFA had been informed that Al-Harbi was also being held in Suleimaniya at the U.S. military-run Ft. Suse facility. He requested information on the judicial procedures relating to the Kuwaitis, specifically seeking information on when Al-Bathali's case might be brought to trial, which authority would prosecute him, and under whose jurisdiction he fell. Al-Maqamis was not optimistic that the GOK would receive timely or accurate information from the Iraqi Government.

[1](#)2. (C/NF) Al-Maqamis reiterated his May 16 request (ref C) that the six remaining Kuwaiti detainees held in Guantanamo Bay be handed over to Kuwaiti authorities before the Amir's planned U.S. visit in September. Confiding that he personally had "no problem with putting the Guantanamo detainees in jail for an additional five or six years as an example to Kuwaiti youth who believe that it (jihad) is a walk in the park," Al-Maqamis stressed that "this time around we need more and better evidence of why they were held" and asked that any evidence on the remaining six be passed to his office as soon as possible so as to better prepare the Attorney General's case against them. Likewise, he requested more compelling evidence against the five Guantanamo detainees recently acquitted by the lower court (ref B), saying they would likely see prison terms when the Court of Appeals reviewed their cases if the GOK's position was strong enough.

[1](#)3. (C/NF) Al-Maqamis did not provide a status report on the request for a letter from the GOK through its Ambassador to the U.S. providing stronger assurances on the detention and prosecution of any Guantanamo detainees. Al-Maqamis had previously stated that his office would draft the letter for the letter for the Ambassador (ref C). PolOff informed Al-Maqamis that a high-level dialogue was taking place between the Kuwaiti Ambassador and DOD. End comment.

For more reporting from Embassy Kuwait, visit:
<http://www.state.sgov.gov/p/nea/kuwait/?cable s>

Visit Kuwait's Classified Website:
<http://www.state.sgov.gov/p/nea/kuwait/>
***** *
LEBARON